

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION
This document relates to:
Track Three Cases

MDL 2804
Case No. 17-md-2804
Hon. Dan Aaron Polster

**PLAINTIFFS LAKE AND TRUMBULL COUNTIES' RESPONSE TO ORDER
REGARDING MOTION TO COMPEL**

Plaintiffs Lake and Trumbull Counties write in response to the Court's February 18, 2022 Order. (*See* Dkt. No. 4283.) In that Order, the Court held,

Plaintiffs are **ORDERED** to provide declarations or other support for the estimates provided in their February 1 letter and response. Additionally, to the extent reasonable, Plaintiffs must attempt to apportion the estimated expenditures into Dr. Alexander's four top-level categories. If, however, there is no good faith basis for further breakdown of departmental expenditures, Plaintiffs must provide support for that assertion as well. Finally, to the extent Defendants' motion seeks more information than required by this order or would limit Plaintiffs from using evidence in Phase 2 of this trial, the motion is **DENIED**.

(*Id.* at 3.)

Pursuant to the Court's Order, Plaintiffs reaffirm that the Counties' "financial data does not allow anyone to determine with specificity exactly what each department spent on each element of opioid epidemic abatement." (Dkt. No. 137 at 1-2.)

As such there is no good faith basis for further breakdown of departmental expenditures. In support of this, Plaintiffs attach hereto declarations from: (1) Debra E. Santangelo, Chief Deputy Auditor for Trumbull County; and (2) Michael Matas, Budget/Finance Director for Lake County. (*See* Exhibit 1, Declaration of Debra E. Santangelo and Exhibit 2, Declaration of Michael Matas.)

Additionally, in support of the estimates provided in Plaintiffs' February 1 letter and response Plaintiffs submit declarations from: (3) Kimberly Fraser on behalf of Lake County; and (4) April Caraway on behalf of Trumbull County. (*See* Exhibit 3, Declaration of Kimberly Fraser and Exhibit 4, Declaration of April Caraway.)

Jayne Conroy
SIMMONS HANLY CONROY
112 Madison Avenue, 7th Floor
New York, NY 10016
(212) 784-6400
(212) 213-5949 (fax)
jconroy@simmonsfirm.com

Joseph F. Rice
MOTLEY RICE LLC
28 Bridgeside Blvd.
Mt. Pleasant, SC 29464
(843) 216-9000
(843) 216-9290 (Fax)
jrice@motleyrice.com

Paul T. Farrell, Jr., Esq.
FARRELL & FULLER LLC
1311 Ponce de Leone Ave., Suite 202
San Juan, PR 00907
(304)654-8281
paul@farrellfuller.com

Plaintiffs' Co-Lead Counsel

W. Mark Lanier
THE LANIER LAW FIRM
10940 W. Sam Houston Pkwy N., Suite 100
Houston, TX 77064
(713) 659-5200
(713) 659-2204 (Fax)
wml@lanierlawfirm.com

Trial Counsel

/s/Peter H. Weinberger
Peter H. Weinberger (0022076)
SPANGENBERG SHIBLEY & LIBER
1001 Lakeside Avenue East, Suite 1700
Cleveland, OH 44114
(216) 696-3232
(216) 696-3924 (Fax)
pweinberger@spanglaw.com

Plaintiffs' Liaison Counsel

Frank L. Gallucci

PLEVIN & GALLUCCI CO., L.P.A.
55 Public Square, Suite 222
Cleveland, OH 44113 (216)
861-0804
(216) 861-5322 (Fax)
FGallucci@pglawyer.com

Hunter J. Shkolnik
NAPOLI SHKOLNIK
270 Munoz Rivera Avenue, Suite 201
Hato Rey, Puerto Rico 00918
(347) 379-1688
hunter@napolilaw.com

Hunter J. Shkolnik
NAPOLI SHKOLNIK
270 Munoz Rivera Avenue, Suite 201
Hato Rey, Puerto Rico 00918
(347) 379-1688
hunter@napolilaw.com

Salvatore C. Badala
NAPOLI SHKOLNIK PLLC
360 Lexington Avenue
New York, New York 10017
(212) 397-1000
sbadala@napolilaw.com

*Counsel for Plaintiffs Lake County and
Trumbull County, Ohio*

CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2022, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Hunter J. Shkolnik

Hunter J. Shkolnik